



**CALIFORNIA STATE
PUBLIC WORKS BOARD**

EDMUND G. BROWN JR. • GOVERNOR

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AGENDA WITH ANALYSIS

**NOTICE OF MEETING
STATE PUBLIC WORKS BOARD
Friday, August 12, 2011**

The **STATE PUBLIC WORKS BOARD** will meet on
**Friday, August 12, 2011, at 10:00 a.m. in Room 113,
State Capitol, Sacramento, California.**

In accordance with provisions of section 11125 of the
Government Code, a copy of the Agenda is attached.

Greg Rogers
Administrative Secretary

Attachment

STATE PUBLIC WORKS BOARD

Friday
August 12, 2011
10:00 a.m.
Room 113

State Capitol
Sacramento, California

I.	Roll Call		
II.	Approval of minutes from the July 8, 2011 meeting		
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CONSENT ITEMS

CONSENT ITEM—1

JUDICIAL COUNCIL OF CALIFORNIA (0250)
ADMINISTRATIVE OFFICE OF THE COURTS
NEW YREKA COURTHOUSE (DOWNTOWN SITE)
SISKIYOU COUNTY

AOC Facility Number 47-H1, DGS Parcel Number 10728

Authority: Sections 70371.5 and 70371.7 of the Government Code

Consider authorizing site selection

CONSENT ITEMS

STAFF ANALYSIS ITEM—1

Judicial Council of California
Administrative Office of the Courts
New Yreka Courthouse (Downtown Site)
Siskiyou County

Action Requested

If approved, the requested action would authorize site selection.

Scope Description

This project is within scope. The requested action would authorize site selection for the construction of a new 6-courtroom, 86,000 square foot facility in Siskiyou County. The new courthouse is for use by the Superior Court of California for judicial, administrative, and related purposes, with secure parking for judicial officers and staff and surface parking for visitors. The proposed site would be acquired from multiple owners and totals approximately 2.4 acres of improved land. The property is located in the city of Yreka across the street from the existing court facilities.

Funding and Cost Verification

This project is within cost. A total of \$2,543,000 has been appropriated for acquisition. This property can be acquired with the funds available and in accordance with legislative intent.

\$96,501,000	total authorized project costs
\$96,501,000	total estimated project costs
\$ 736,000	project costs previously allocated: acquisition
\$95,765,000	project costs to be allocated: \$1,807,000 acquisition, \$4,378,000 preliminary plans, \$5,861,000 working drawings, and \$83,719,000 construction (\$74,201,000 contract, \$3,710,000 contingency, \$1,437,000 A&E, and \$4,371,000 other project costs)

CEQA

Subsequent to the site selection process and in accordance with the California Environmental Quality Act (Public Resources Code Section 21000-21177) and pursuant to Section 15063 of Title 14 of the California Code of Regulations, the Judicial Council of California, acting in the capacity of Lead Agency, will undertake the preparation of an Initial Study to determine if the proposed project would have a significant environmental impact. This will be submitted with a future site acquisition application for the selected site.

Project Schedule

Close of escrow	February 2012
Approve preliminary plans	August 2012
Complete working drawings	May 2013
Start construction	September 2013
Complete construction	February 2015

Condition of Property

In April 2011, Department of General Services (DGS) conducted a visit to the proposed site. The site includes asphalt paved parking lots, four residential homes, two professional office buildings, and two government buildings. All structures were occupied at the time of the site visit.

Phase I Environmental Site Assessment (ESA)

In March, 2011, a Phase 1 ESA was completed in general conformance with the scope and limitations of the American Society for Testing and Materials Practice. Above ground storage tanks (ASTs) at two residences were noted. These tanks contain kerosene used for heating the homes. No significant staining or evidence of leaks or spills was noted beneath the AST located at 416 S. Oregon Street. The AST located at 412 S. Oregon Street was located within the backyard of the residence, which did not allow for access. The residence located at 418 S. Oregon Street had previously contained a 160 gallon heat oil AST that was removed in 2004. The tank leaked and the soil sample collected from beneath the AST indicated a low level (a concentration of 12,000 milligrams per kilogram) of total petroleum hydrocarbons as diesel. The local Regional Water Quality Control Board issued a "no further action" required determination because it was considered a "de minimis" condition. De minimis conditions are not considered a threat to human health or the environment.

The Phase I ESA noted that based on the age of the structures, they may contain asbestos containing materials (ACM) and lead based paint (LBP). The Phase 1 ESA recommends a comprehensive survey be conducted for ACM and LBP. Additionally, four of the structures are older than fifty years, a threshold of nomination for listing on the National Register of Historic Places and the California Register of Historical Resources, therefore an assessment for

historical significance should to be conducted. Beyond the survey for ACM and LMP and an assessment for historical significance, no further testing is warranted.

Other:

- It is anticipated that there will be no relocation issues due to the fact that Siskiyou County will acquire the occupied properties and be responsible for relocation prior to the state's acquisition.
- A portion of the proposed site would be exchanged by Siskiyou County for the state's equity interest in the existing court facility. The remainder of the site will be acquired through a gift from the City of Yreka and the purchase of the remaining private properties. The proposed site meets the size, location, and compatibility requirements of the Judicial Council of California.
- Prior to submitting this site for acquisition, the Administrative Office of the Courts will procure a survey for ACM and LBP and consult with the State Historic Preservation Office regarding the structures that are more than 50 years old.
- The purchase price shall not exceed the estimated fair market value as indicated in a DGS-approved appraisal.
- There are no historic or implied dedication issues associated with this site.
- The Administrative Office of the Courts certifies that there is no known potential use of eminent domain to acquire this site. If eminent domain proceedings are contemplated in the future, the Administrative Office of Courts must return to the Board for direction.

Staff Recommendation: Authorize site selection.

CONSENT ITEMS

CONSENT ITEM—2

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
SAN BRUNO MOUNTAIN STATE PARK, SAN BRUNO GIFT
SAN MATEO COUNTY
DPR Parcel Number 016452, DGS Parcel No. 10724

Authority: Section 5005 of the Public Resources Code

Consider acceptance of a gift of real property

CONSENT ITEMS

STAFF ANALYSIS ITEM—2

Department of General Services
Department of Parks and Recreation
San Bruno Mountain State Park
San Mateo County

Action Requested

If approved, the request would authorize the acceptance of a gift of real property.

Scope Description

This project is within scope. Public Resources Code Section 5005 provides the Department of Parks and Recreation (Parks) with the authority to accept gifts of real property, subject to Board approval. This request would authorize the acceptance of a gift of approximately 0.05 acres of land as an addition to San Bruno Mountain State Park (Park). Acquisition of the property will help rationalize the Park's boundary.

Funding and Cost Verification

This project is within cost. The owner is offering this gift of real property to Parks and is providing the sum of \$20,000 as an endowment for the future maintenance of this small parcel. Although this property is being offered at no additional cost to the state, transaction costs of approximately \$10,000 will be paid by Parks to cover due diligence and escrow fees. .

\$10,000 total estimated project costs

\$10,000 total authorized project costs

\$5,000 project costs previously allocated: staff costs for acquisition review

\$5,000 project costs to be allocated: \$5,000 title and escrow fees

CEQA

A Notice of Exemption was filed with the State Clearinghouse on April 5, 2011, and the 35-day statutes of limitation period expired on May 9, 2011, without challenge.

Project Schedule

Close of escrow September 2011

Condition of Property

On April 18, 2011, Department of General Services (DGS) staff visited the site to assess the condition of this property. The south side of the property abuts the Park. No trash or debris was observed. A Phase I Environmental Site Assessment was not conducted for the property, as the DGS site visit did not reveal any evidence of any recognized environmental conditions associated with the subject property. Absent any visible recognized environmental condition, and the given likelihood of a lack of prior use due to the steeply sloping nature of the property, DGS recommends no further investigation.

Other:

- The Property Acquisition Agreement does not contain the state's standard indemnification language. However, the DGS site visit and the environmental studies conducted do not indicate any conditions which would likely represent exceptional risk to the state. Further, the lack of standard indemnification language does not relieve the grantor's liability under existing laws and regulations.
- Parks estimates no additional support costs as this is a small addition to the existing park. In addition, the land is accompanied by a \$20,000 maintenance endowment.
- Parks is not aware of any lawsuits pending on the property. The property acquisition agreement will require delivery of title to the state free and clear of any liens.
- There are no historic issues, relocation assistance or implied dedication involved with this project.
- Pursuant to Government Code Section 11005, gifts of real property must be approved by the Director of Finance. Administrative policy requires that the Board authorize the acceptance of the gift prior to Finance approval.

Staff Recommendation: Authorize acceptance of a gift of real property.

CONSENT ITEMS

CONSENT ITEM—3

**DEPARTMENT OF TOXIC AND SUBSTANCES CONTROL (3960)
STRINGFELLOW – NEW PRE-TREATMENT PLANT
RIVERSIDE COUNTY**

*Authority: Chapter 50, Statutes of 1999, Item 3960-001-0001, as reappropriated by the Budget Act of 2001
Chapter 52, Statutes of 2000, Item 3960-001-0001, as reappropriated by the Budget Act of 2001
Chapter 379, Statutes of 2002, Item 3960-001-0001, and Chapter 157, Statutes of 2003, Item 3960-001-0001, as reappropriated by the Budget Acts of 2005, 2006, and 2007
Chapters 38 and 39, Statutes of 2005, Item 3960-301-0001, as reappropriated by the Budget Acts of 2006, 2007, and 2008
Chapter 33, Statutes of 2011, Item 3960-301-0001*

Consider approving preliminary plans

CONSENT ITEMS

STAFF ANALYSIS ITEM—3

Department of Toxic Substances Control
Stringfellow – New Pre-Treatment Plant
Riverside County

Action Requested

If approved, the requested action would approve preliminary plans.

Scope Description

This project is within scope. This project is to replace the existing, obsolete Stringfellow Pre-Treatment Plant (Stringfellow) located in the City of Jurupa Valley, Riverside County. This project will construct a New Pre-Treatment Plant (Plant) to treat highly contaminated ground water extracted from the Stringfellow Federal Superfund Hazardous Waste Site. The Plant will be approximately 110,000 square feet (sf) and will include the main plant, as well as, an administration building and maintenance shop. The overall size of this facility has been reduced by 30,000 of sf due to changes in implementation of local regulations. The Orange County Sanitation District (OCS D) had originally required the design of the Plant to include more stringent treatment of the toxins. However, in December 2009, the OCS D informed the Department of Toxic Substances Control that these requirements would not be implemented for at least 15 years. The updated design of the facility includes the ability to expand to add the

additional treatment requirements should these be required by OCSD in the future. These changes are consistent with project scope recognized by the Legislature in connection with working drawings funding provided in the Budget Act of 2011.

In 1981, Stringfellow was declared a federal Superfund Site and under the direction of the United States Environmental Protection Agency (USEPA), a number of interim cleanup and containment activities were implemented. These activities included the installation of 430 groundwater extraction wells and monitoring wells. The existing Pre-Treatment Plant was designed and constructed by the USEPA as an interim plant, with an operational life of three to five years; however, it has been in service for over 20 years. The principal contaminants of concern include, but are not limited to: acids, heavy metals, pesticides (such as DDT), volatile organic compounds (such as trichloroethylene), and perchlorate.

Funding and Cost Verification

This project is within cost. A total of \$6,248,000 has been authorized for this project. Acquisition was authorized in the 1999 Budget Act, preliminary plans were authorized in the 2005 Budget Act, and working drawings were authorized in the 2011 Budget Act.

\$46,354,000	total authorized project costs
\$46,354,000	total estimated project costs
\$ 4,613,000	project costs previously allocated: \$1,550,000 acquisition and \$3,063,000 preliminary plans
\$41,741,000	project costs to be allocated: \$1,635,000 working drawings and \$40,106,000 construction (\$33,303,000 contract, \$1,665,000 contingency, \$2,092,000 A&E, and \$3,046,000 other project costs)

CEQA

A Notice of Exemption was filed with the State Clearinghouse on November 5, 2007, and the 35-day statutes of limitation period expired on December 10, 2007, without challenge.

Real Estate Due Diligence

The Department of General Services has been conducting periodic reviews of the title reports during the condemnation process. Prior to completion of the design phase, a final review of the title report occur and the due diligence memo will be completed.

Project Schedule

Approve preliminary plans	August 2011
Complete working drawings	June 2012
Start construction	October 2012
Complete construction	April 2014

Other

- On December 14, 2007, the Board adopted a Resolution of Necessity authorizing the use of eminent domain (condemnation) to acquire approximately 33 acres adjacent to Stringfellow site.
- On February 14, 2008, a proceeding in eminent domain was filed with the Superior Court in Riverside County. The filing was prepared and filed by the State Attorney General on behalf of the State of California, acting by and through the Board.
- On May 12, 2011, an Order of Judgment for the property was issued by the court in favor of the State of California.

- On May 19, 2011, a Final Order of Condemnation was issued by the court allowing the State of California to take title of the property.

Staff Recommendation: **Approve preliminary plans.**

CONSENT ITEMS

CONSENT ITEM—4

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
DEWITT NELSON CORRECTIONAL FACILITY
INFILL PROJECT
SAN JOAQUIN COUNTY

Authority: Sections 15819.40(a) and (d) and 15819.401 – 15819.404 of the Government Code

Consider:

- a. recognizing a scope change
- b. approving performance criteria and concept drawings
- c. recognizing revised project costs

CONSENT ITEMS

STAFF ANALYSIS ITEM—4

Department of Corrections and Rehabilitation
DeWitt Nelson Correctional Facility, Infill Project
San Joaquin County

Action Requested

If approved, the requested action would recognize a scope change, approve performance criteria and concept drawings, and recognize revised project costs.

Scope Description

This project is not within scope. This project will convert the existing, deactivated DeWitt Nelson Youth Correctional Facility to a semiautonomous adult male Level II facility (DeWitt) that will be dependent on the adjacent California Health Care Facility (CHCF) for administration and primary support services. As established by the State Public Works Board (SPWB), this project would include approximately 229,000 square feet of space for inmate housing, health care services, rehabilitation programs, inmate visiting, and limited ancillary support services. DeWitt will provide housing for up to 1,133 inmates, including 528 Specialized General Population (SGP) inmates and 180 Permanent Work Crew inmates in converted dorms and 425 Enhanced Outpatient Program inmates in new celled housing.

The Department of Corrections and Rehabilitation (CDCR) has been analyzing construction and operational coordination opportunities between the CHCF and the DeWitt projects since the inception of both projects. As established by the SPWB, the CHCF project will utilize design-build construction authority pursuant to section 14661.1 of the Government Code, while the DeWitt project would be a design-bid-build project. In order to optimize construction coordination between these two projects both projects should be completed utilizing design-build project delivery. CDCR subsequently requested approval from the Department of Finance (Finance) for the use of design-build construction authority pursuant to section 14661.1 of the Government Code for the DeWitt project. This request was granted on October 22, 2010.

In October 2010, CDCR requested a scope change to improve the construction and operational coordination between the DeWitt and the CHCF projects by (1) moving the DeWitt project immediately adjacent to the CHCF project and (2) providing greater flexibility to the design-build competitors to propose what they determined to be the most efficient mix of new construction and renovation of existing space. The approved project scope called for the renovation of many of the existing buildings at the DeWitt site. The October 2010 scope change would have authorized CDCR to have the option to either renovate existing buildings or to demolish them and construct new buildings, based upon the results of the design-build proposals received during the solicitation process. After concerns were raised by the Joint Legislative Budget Committee (JLBC) regarding (1) insufficient project cost estimates and (2) the possibility the scope change may result in the construction of new dormitory housing as opposed to celled housing, the October 2010 scope change request was not approved by Finance or recognized by the SPWB.

CDCR is now requesting a revised scope change that addresses these previous concerns and still improves the construction and operational coordination between the DeWitt and CHCF projects. A significant driver of this scope change is based on design refinements within the CHCF project that result in a drainage canal along the east side of the DeWitt site, rather than an underground pipe. There are two considerations that make the drainage canal a better solution. First, an underground pipe would have required an expansion of the existing detention ponds and creation of a wetlands area that would require extensive permitting. The above ground drainage canal eliminates the need for detention pond expansion and the associated permitting that would have been required. Second, CDCR can use the dirt excavated to create the drainage canal for fill dirt on the CHCF site, eliminating the need to import fill dirt that saves approximately \$2 million for the CHCF project.

The mental health housing units that were originally planned to be constructed along the eastern side of the campus will instead be constructed on the northern side of the complex. This is now the only viable option for locating the new mental health housing units because of site constraints elsewhere. This change to the shape and size of the project footprint also increases the length of the perimeter fences and requires the addition of two more perimeter guard towers, increasing the total number of guard towers to ten.

With the relocation of the mental health housing units, it is also necessary to relocate the mental health treatment and office space and other support buildings. As originally conceived, this project would have converted space in several buildings in the southern portion of the campus to support the mental health housing units. Instead, this scope change will provide treatment and office space on the northern end of the property by conversion of space in a different existing building as well as construction of a new mental health office building. In addition, the new mental health housing units are larger than originally anticipated to include additional space for inmate feeding and a materials management system.

The revised scope also includes construction of new support buildings adjacent to each of the four existing dormitory housing units. These buildings will provide dayroom/program space necessary to meet American Correctional Association accreditation standards, which contain a mixture of operational and physical plant requirements. Additionally, these buildings will include a retherm pantry to facilitate inmate feeding within the existing housing units. As originally conceived, the existing dormitory buildings would have been renovated and expanded to handle these functions. However, during initial design reviews it was determined that these buildings were constructed in a manner that does not support any expansion.

Furthermore, the revised Dewitt scope incorporates additional efficiencies achieved by combining services with the CHCF project through the use of shifts or flexible scheduling, without the need to expand the CHCF project scope. Namely, CDCR determined that new buildings for the private automated branch exchange, satellite maintenance, volatile storage, and family visiting, as included in the original scope, are not necessary at DeWitt. In addition, all staff and visitor parking for DeWitt will be accommodated in the CHCF parking lot. However, CDCR also identified the need to include a work change/inmate transfer station building to control and process inmate movement between DeWitt and CHCF. This function was anticipated in the original project submittal, but the original scope did not specify how it would be accomplished.

This scope change and the change to the design-build project delivery will reduce overall estimated total project costs by approximately \$21.3 million. It will allow CDCR to maintain the project schedule, with anticipated construction completion in September 2013. In light of the Coleman court ordered activation schedule and the court's high level of interest in this project in general, maintaining the project schedule in light of previous delays is significant to the state.

To address the concerns raised by the JLBC in its November 10, 2010 letter and reassess the need for this project in light of recent public safety realignment decisions and the United States Supreme Court ruling regarding California's prison capacity, CDCR has reevaluated the dorm housing capacity in this project and has concluded it is still necessary and appropriate. This project would provide capacity for 708 inmates in dorms, which consists of 528 SGP inmates and 180 Permanent Work Crew inmates. The Receiver estimates a system-wide, post-realignment need of at least 1,343 SGP beds, including 616 level I and II inmates, 678 level III and IV inmates, and 49 unclassified inmates. Consequently, even if placements in these beds are limited to lower-level inmates, there is still a greater need than this project will satisfy. However, because of medical case factors for these inmates, CDCR will also be able to safely care for higher-level SGP inmates in these beds. Moreover, this facility will have a lethal electrified perimeter fence, further mitigating any security concerns associated with housing higher-level inmates in this facility.

A revised project cost summary for the DeWitt project was also provided to the JLBC. Although the stipulated sum has not yet been finalized, it is anticipated that it will be approximately \$120 million, as indicated by the total design-build contract amount shown on the bottom of page one of the project cost summary.

On July 19, 2011, the Department of Finance notified the chairs of the Joint Legislative Budget, the Senate Appropriations, and Assembly Appropriations Committees of its intent to approve this scope change and recommend the State Public Works Board recognize it no sooner than 20 days from that date.

Funding and Cost Verification

This project is within cost. Sections 15819.40(a) and 15819.401–15819.404 of the Government Code appropriated \$1.8 billion lease revenue bond financing authority to the CDCR to design, construct or renovate housing units, support buildings, and programming space in order to add up to 12,000 beds at existing prison facilities to replace temporary beds currently in use. The SPWB established the scope, cost, and schedule of the DeWitt project on June 14, 2010, allocating \$188,168,000 from this appropriation for design and construction of this project. In addition, \$169,000 of the \$300 million General Fund appropriated in Section 28(a) of Chapter 7, Statutes of 2007 was previously allocated to this project to complete its study phase.

As established, the project delivery method for this project was design-bid-build. Consequently, the project costs established at that time corresponded with funding preliminary plans, working drawings and construction phases. In October 2010 the project delivery method was switched to design-build, thus necessitating reestablishment of the project costs to correspond with funding performance criteria and concept drawings and design-build phases, as illustrated below. This action will recognize these revised project costs. In addition, this scope change and the change to the design-build project delivery will reduce overall estimated total project costs by approximately \$21.3 million.

\$ 188,337,000	total authorized project cost
\$ 167,027,000	total estimated project cost
\$ 188,337,000	project costs previously allocated: \$169,000 study, \$9,670,000 preliminary plans, \$12,442,000 working drawings, \$166,056,000 construction (\$124,266,000 contract, \$8,699,000 contingency, \$7,394,000 A&E, \$14,277,000 other project costs, and \$11,420,000 agency retained items)
\$ 188,168,000	project costs to be unallocated: \$9,670,000 preliminary plans, \$12,442,000 working drawings, \$166,056,000 construction (\$124,266,000 contract, \$8,699,000 contingency, \$7,394,000 A&E, \$14,277,000 other project costs, and \$11,420,000 agency retained items)
\$ 166,858,000	project costs to be allocated: \$6,659,000 performance criteria and concept drawings, \$160,199,000 design-build, (\$119,924,000 contract, \$8,395,000 contingency, \$6,531,000 A&E, \$13,916,000 other project costs, and \$11,433,000 agency retained items)

CEQA

A Notice of Determination was filed with the State Clearinghouse on December 29, 2010, and the 30-day statutes of limitation period expired on January 28, 2011, without challenge.

Real Estate Due Diligence

The Department of General Services completed a Summary of Conditions Letter for this project on July 20, 2011, and it is noted that no significant issues were identified.

Project Schedule

Approve performance criteria and concept drawings	August 2011
Start construction	November 2011
Complete construction	September 2013

Staff Recommendation: **Recognize scope change, approve performance criteria and concept drawings, and recognize revised project costs.**

ACTION ITEMS

ACTION ITEM—1

JUDICIAL COUNCIL OF CALIFORNIA (0250)
ADMINISTRATIVE OFFICE OF THE COURTS
NEW UKIAH COURTHOUSE (RAILROAD DEPOT SITE)
MENDOCINO COUNTY

AOC Facility Number 23-H1; DGS Parcel Number 10737

Authority: Sections 70371.5 and 70371.7 of the Government Code

Consider authorizing site selection

ACTION ITEMS

STAFF ANALYSIS ITEM—1

Judicial Council of California
Administrative Office of the Courts
New Ukiah Courthouse (Railroad Depot Site)
Mendocino County

Action Requested

If approved, the requested action would authorize site selection.

Scope Description

This project is within scope. The requested action would authorize site selection of approximately 4.5 unimproved acres situated at East Perkins and East Clay Streets in the City of Ukiah, Mendocino County. The proposed acquisition would be for the construction of a new 9-courtroom, 114,000 square foot facility for use by the Superior Court of California for judicial, administrative, and related purposes. The project includes secure parking for judicial officers and staff and surface parking for visitors. The City of Ukiah has an option to purchase the property which is currently owned by the North Coast Rail Authority. The City plans to exercise its option to purchase and then convey the property to the State.

Site selection of this property is critical as there are not many large open spaces in the downtown area for sale for the construction of a new courthouse. There is one other property under consideration; however, it involves the assemblage of multiple parcels from both private owners and local government, which could take longer and may not be viable if some private owners are unwilling to sell.

Currently, there are hazardous materials located on the site which will require remediation. Extensive investigation and studies have been performed and a private consulting firm has a remediation plan in place and will perform the hazardous materials clean up. The work is scheduled to begin in March 2012. The owner expects to receive closure from the Regional Water Quality Control Board by June 2012.

Funding and Cost Verification

This project is within cost. A total of \$5,673,000 has been authorized for acquisition. This property can be acquired with the funds available and in accordance with legislative intent.

\$119,914,000	total authorized project costs
\$119,914,000	total estimated project costs
\$ 2,207,000	project costs previously allocated: acquisition
\$117,707,000	project costs to be allocated: \$3,466,000 acquisition, \$5,259,000 preliminary plans, \$7,041,000 working drawings, and \$101,941,000 construction (\$90,440,000 contract, \$4,522,000 contingency, \$1,726,000 A&E, and \$5,251,000 other project costs)

CEQA

Subsequent to the site selection process and in accordance with the California Environmental Quality Act (Public Resources Code Section 21000-21177) and pursuant to Section 15063 of Title 14 of the California Code of Regulations, the Judicial Council of California (Council), acting in the capacity of Lead Agency, will undertake the preparation of an Initial Study to determine if the proposed project would have a significant environmental impact. This will be submitted with a future site acquisition application for the selected site.

Project Schedule

Close of escrow	December 2012
Approve preliminary plans	July 2013
Complete working drawings	May 2014
Start construction	September 2014
Complete construction	May 2016

Condition of Property

On May 30, 2011, the Department of General Services (DGS) staff conducted a site visit to assess the general condition of the subject property. Located in Mendocino County, the property is situated south of East Perkins Street and west of Leslie Street. The property is bordered to the east by a commercial bank building, an automotive service center, vacant lots formerly occupied by a manufactured gas plant and bulk petroleum storage facilities, and an automotive body shop. The property is bounded on the south by residential homes and to the west by a rail line (passenger and freight railroad facility as early as 1893.) This facility included a combined passenger and freight depot building at the west-central portion of the Property.

A Phase I Environmental Site Assessment (ESA) was completed on April 11, 2011 in accordance with the American Society of Testing and Materials. According to the ESA, the following recognized environmental conditions (RECs) were identified:

- Planing Mill—A planing mill was formerly located on the northern portion of the property in at least 1911. Available information did not identify hazardous substances that may have been associated with this structure. However, planing mills frequently utilize hazardous substances, primarily petroleum hydrocarbons, to lubricate and/or fuel equipment. There is the potential that during historic planing mill operations, hazardous

substances may have impacted site soils and/or groundwater. Based upon this information, the identification of a former on-site planing mill is considered to represent a REC.

- **Asphalt Plant and Fuel Tank**—An asphalt plant and adjacent fuel tank were formerly located at the east-central portion of the property from at least 1929 to 1941. Asphalt production typically involves the use of petroleum hydrocarbons. There is the potential for hazardous substances associated with historic asphalt production and/or fuel storage operations to have impacted site soils and/or groundwater. TPH-impacted soil is documented in this area because: 1) elevated concentrations of TPH-D and PAH were detected in the vicinity of the former asphalt plant (B-16 and B-18) as part of the Skate Park Investigation; 2) elevated TPH-D concentrations were detected at TP-16 and TP-7 during the Phase I investigation; and 3) an area on a 1929 Sanborn map in the vicinity of the asphalt plant is labeled as “fuel oil on ground”. Based upon this information, the identification of a former on-site asphalt plant and adjacent fuel tank is considered to represent a REC.
- **East Rail Spur Petroleum Operations**—A rail spur was formerly located along the eastern property boundary adjacent to several bulk petroleum facilities from at least 1929 to 1963. Historical evidence indicates that this rail spur was likely used for the purpose of petroleum transfer from rail cars to off-site bulk petroleum tanks. There is the potential that hazardous substances, primarily petroleum hydrocarbons, were released to site soils and/or groundwater from rail cars, associated piping, or during transfer operations. Elevated TPH-D concentrations in soil were detected near the east rail spur in DP-10 during the Phase I investigation. Based upon this information, the identification of a rail spur potentially used for on-site petroleum product transfers is considered to represent a REC.
- **Existing Shop Building**—Light industrial activities appear to have been conducted within the existing shop building at the southwestern portion of the property since at least 1974. In at least 1999, the building was being used as a maintenance garage for a logging/trucking company. No additional information is known regarding past occupants or associated operations. Minor concrete staining and indications of former 55-gallon drum storage were observed during the December 2010 site reconnaissance. There is the potential that hazardous substances were historically used and/or stored within this building and were subsequently released to sites soils and/or groundwater. Based upon this information, the former activities associated with the existing shop building are considered to represent a REC.
- **Existing Warehouse Building**—Light industrial activities appear to have been conducted within the existing warehouse building at the west-central portion of the property since at least 1974. Between at least 1992 and 1999, the building was used as a beverage distribution facility. Between at least 2003 and 2010, the building was used as an emergency supplies distribution center. It is not known what additional operations, if any, were conducted within this building. Although a hazardous building material survey is beyond the scope of this assessment, based on the age of the structure, the spray-on ‘pop corn’ ceiling texturing observed in the office/kitchen/storage area and the spray-on fireproofing/insulation material should be further evaluated to determine if asbestos containing materials are present. Based upon this information, the existing warehouse building is considered to represent a REC.
- **Former Railroad Vehicle Maintenance Operations**—A roundhouse and turntable were historically located at the south-central portion of the property. Available historical evidence indicates that these structures were constructed in approximately 1919 and 1930, respectively. Additional structures that were reported to have been located in this area include a drain sump, oil sump, oil column, and aboveground oil tank. This area

appears to have been used for railcar and/or locomotive maintenance activities. There is the potential that hazardous substances associated with these operations and/or with the mechanical operation of the turntable were released to site soils and/or groundwater. Based upon this information, the former activities associated with railroad vehicle maintenance operations are considered to represent a REC.

- Former Tank Platform—A tank platform was reported to have been formerly located at the north-central portion of the property, south of Gibson Creek. No additional information regarding this platform was identified, including the contents of the tanks stored on the platform or the operational dates of the platform. Based upon the location of the platform, it is likely that tanks on this platform were used to store materials that were transferred to and from railcars. There is the potential that hazardous substances associated with this platform were released to site soils and/or groundwater. Based upon this information, the former tank platform is considered to represent a REC.

According to the ESA, the following RECs were identified in connection with neighboring areas:

- Clay Street Oil Column—Available historic information has indicated that an oil column was formerly located between the main and side tracks near the existing end of Clay Street, adjacent west to the property. This oil column was likely used as an oil supply for railroad vehicles. There is the potential that hazardous substances associated with this structure have impacted subsurface soil and/or groundwater and subsequently migrated to the property. This former oil column is considered to represent a REC.
- Former Clay Street Lumber and Industrial Property (Holz Company - 276 E. Clay)—The property located adjacent west of the property, across the main rail line on the north side of Clay Street, was historically used for lumber production, trucking, farm equipment manufacturing/repair, and machining/welding activities. There is a potential that these operations included the use of hazardous substances, primarily petroleum hydrocarbons and volatile organic compounds (VOCs), which may have impacted subsurface soils and/or groundwater beneath the property and subsequently migrated to the groundwater beneath the property. Based upon this information, this Clay Street property was considered to represent a REC.
- Old Leslie Street Gas Plant (120-A Leslie Street)—This property is located adjacent east of the central portion of the property and was historically used for oil-gas, butane gas, and propane-gas manufacturing activities. There is a potential that hazardous substances associated with these activities, primarily petroleum hydrocarbons, have impacted subsurface soils and/or groundwater beneath the property and subsequently migrated to the soils and/or groundwater at the property. Based upon this information, the Old Leslie Street Gas Plant was considered to represent a REC.
- Leslie Street Bulk Petroleum Facilities [Golden Gate Petroleum property (Unaddressed); Unocal Bulk Plant #8013 site (122 Leslie); DZ Inc. site (134 Leslie); General Petroleum Company property]—These facilities, which are located adjacent to each other and adjoining east to the property, were historically used for bulk petroleum storage activities and typically included large aboveground storage tanks. There is a potential that hazardous substances associated with these activities, primarily petroleum hydrocarbons, have impacted subsurface soils and/or groundwater at the properties and subsequently migrated to the soils and/or groundwater at the property. Based upon this information, the former Leslie Street Bulk Petroleum facilities were considered to represent RECs.
- Up-gradient Regional Water Quality Control Board (RWQCB) Spills, Leaks, Investigations, and Cleanup/Leaking Underground Storage Tank (SLIC/LUST) sites—The Ukiah Courthouse site (100 N. State), the Stefani Shell site (406 N. State), the Rite Aid Store #6033 site (680 S. State), and the American Savings Bank site (700 S. State)

are all located within one-half mile southwest to northwest from the property. These sites are all located generally up gradient with respect to groundwater from the property and are listed with the RWQCB as open sites that have affected groundwater with petroleum hydrocarbons. Based upon that information, these four up-gradient RWQCB sites are considered to represent RECs.

- Up-gradient Dry Cleaners Sites—The Howards Cleaners site (295 N. Main) and the Master Cleaners sites (502-504 S. State and 195 Seminary) are located within 1,200 feet west-southwest to west-northwest of the property. These sites are occupied by existing and former dry cleaning facilities generally up-gradient with respect to groundwater from the property. Dry cleaning facilities frequently utilize hazardous substances, primarily PCE, in normal operations. Detectable concentrations of PCE have been identified in the groundwater at the property below the California maximum contaminant levels (MCLs). Based upon this information, these two drycleaners sites are considered to represent RECs.

If the subject property proceeds to the acquisition phase, AOC will provide applicable, supplementary environmental studies to DGS staff for review.

Other:

- The proposed site meets the size, location, and compatibility requirements of the Judicial Council of California.
- The purchase price shall not exceed the estimated market value as indicated in a DGS approved appraisal.
- There are no historic issues, relocation assistance, or implied dedication associated with this project.
- If this site is ultimately selected for acquisition, existing hazardous materials remediation will take place prior to conveyance to the state and will be performed according to applicable law.

Staff Recommendation: Authorize site selection.

OTHER BUSINESS

NONE

REPORTABLES

TO BE PRESENTED AT MEETING